

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

NEXTGEAR CAPITAL, INC.,

Plaintiff,

v.

CNG AUTO GROUP, INC. d/b/a TOP
WHEELS; ELONTO R. HERNANDEZ COLON;
and JULISSA M. FUENTES RIVERA,

Defendants.

CIVIL NO. 15-1824 (JAG) (CVR)

Breach of Contract,
Collection of Monies,
Repossession of Personal Property

[PROPOSED] ORDER FOR SERVICE BY PUBLICATION

Upon consideration of plaintiff NextGear Capital, Inc. (NextGear)'s Motion for Leave to Serve Defendants by Publication (Docket No. 26) and the Declaration Under Penalty of Perjury of Mr. José A. Velázquez Ortiz (Docket No. 26-1), and it satisfactorily appearing to the Court that Defendants CNG Auto Group, Inc. d/b/a Top Wheels, Mr. Elonto R. Hernández Colón, and Ms. Julissa M. Fuentes Rivera cannot be served with reasonable diligence in any other manner provided by Rule 4 of the Federal Rules of Civil Procedure, and it also appearing that a good cause of action exists against said Defendants, or that they are necessary parties to this action, or that they have or claim an interest in property which is the subject of this action and which is subject to the jurisdiction of this Court, and being fully advised,

IT IS HEREBY ORDERED THAT

- (1) Service of summons in this action be made on Defendants CNG AUTO GROUP, INC. D/B/A TOP WHEELS (by and through its President Elonto R. Hernández Colón or its Vice President Julissa M. Fuentes Rivera or any other corporate officer or

representative), MR. ELONTO R. HERNÁNDEZ COLÓN, and MS. JULISSA M. FUENTES RIVERA by publication in the El Nuevo Día, a newspaper of general circulation published in San Juan, Puerto Rico, which is hereby designated as the newspaper most likely to give actual notice to said Defendants; and that said publication be made once; and

- (2) Within ten (10) days following such publication, a copy of the summons and of the complaint be mailed to the last known postal addresses of Defendants CNG AUTO GROUP, INC. D/B/A TOP WHEELS, MR. ELONTO R. HERNÁNDEZ COLÓN, and MS. JULISSA M. FUENTES RIVERA.

ORDERED, this ____ day of October, 2015.

JAY A. GARCIA-GREGORY
U.S. District Judge